



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 5, 2006

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021
US

Dear Sir/Madam,

Your refund request for 09921982 in the amount of \$565.00 has been denied .

This application shows as a large entity. The issue fee was even paid as a large entity.

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177



DEP 31 REF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Osamu OKUDA et al.

**Mail Stop: ACCOUNTING DIVISION
REFUND BRANCH**

Serial No. 09/921,982

Filed August 6, 2001

Attorney Docket No. 2001_0935

Confirmation No. 9185

APPARATUS FOR HOLDING AND MOUNTING A COMPONENT (as amended)

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a refund of charges totaling \$565 posted to Deposit Account No. 23-0975 on May 3, 2005. According to fee codes, \$435 is for a basic filing fee of a utility application and \$130 is a late filing fee surcharge. Applicants assert both are incorrect.


The erroneous charges appear to stem from an error regarding entity status when the application was originally filed on August 6, 2001. The Applicants' attorney mistakenly checked the small entity status box on the Utility Patent Application Transmittal. A check was submitted with those papers, which correctly included large entity fees for the application. Copies of the PTO date-stamped postcard and Patent Office Fee Transmittal, dated August 6, 2001, are enclosed as receipt of the papers and fees. Our office received a Response to Request for Corrected Filing Receipt, dated November 16, 2001, which indicated that there was confusion on the PTO's part, caused by our error. We submitted a Notification Re Small Entity Status (copy enclosed) on March 14, 2002, in hopes of clarifying this matter. It reiterated that fees were paid for a large entity status application at the time of filing. Therefore, no fees were deficient or late. It is unclear whether this document was not received by the proper office or just overlooked. That appears to be the only reason for the improper and unexpected charges to have been posted to our account after all of this time.

BEST AVAILABLE COPY

Kindly credit the refund of \$565 to the deposit account of undersigned, no. 23-0975. If there are any questions regarding this matter, please contact Kara Reade, Accounting Assistant, at (202) 721-8226.

Respectfully submitted,

Osamu OKUDA et al.

By 
Joseph M. Gorski
Registration No. 46,500
Attorney for Applicants

JMG/ker
WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006-1021
Facsimile (202) 721-8250
November 29, 2005

2001_0935



ATTY DOCKET #: 2001_0935

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Date: August 7, 2001

OUR REF: 2001_0935/MSH/00177

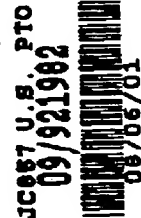
Applicant: Osamu OKUDA et al.

Serial No.: NEW Filing Date: August 6, 2001

Title: APPARATUS FOR HOLDING COMPONENT, AND APPARATUS FOR MOUNTING
COMPONENT

Receipt of the following papers is acknowledged:

1. Utility Patent Application Transmittal (Rule 53(b) divisional of USSN 09/158,536, filed September 22, 1998)
2. Patent Office Fee Transmittal Form [in duplicate]
3. Specification comprising 44 pages (including claims 1-16 and abstract)
4. 15 sheets of drawings (A4P, Figs. 1-16)
5. Copy of executed Declaration and Power of Attorney from parent application
6. Information Disclosure Statement and Form PTO 1449
7. Claim of Priority Under 35 USC 119
8. Check in the amount of \$710.00



Date: August 6, 2001

Attorney: MSH/kjf

[Check No. 45843]

COPY

BEST AVAILABLE COPY

UTILITY
PATENT APPLICATION
TRANSMITTAL

(See instructions for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.: 2001_0935

First Named Inventor : Osamu OKUDA et al.

Title: APPARATUS FOR HOLDING COMPONENT, AND
APPARATUS FOR MOUNTING COMPONENT

Express Mail Label No.:

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Small Entity Status is hereby asserted.
3. ☒ Specification [Total Pages: 44]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Sequence Listing, a table, or a computer program listing appendix.
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets: 15]
5. ☒ Oath or Declaration [Total Pages: 3]
 - a.1. ☐ Newly executed (original or copy)
 - a.2. ☐ Unexecuted
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet (see 37 CFR 1.76)
7. ☐ CD-ROM or CD-R in duplicate, large table or computer program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
 - ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449
 - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other CLAIM OF PRIORITY UNDER 35 USC 119
(parent application)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below, and in a preliminary amendment, or in an Application Data Sheet:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/158,538

Prior Application Information: Examiner M. Trinh Group Art Unit 3729

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By:

Michael S. Huppert
Registration No. 40,268WENDEROTH, LIND & PONACK, L.L.P.
2033 "K" Street, N.W., Suite 800
Washington, D.C. 20006-1021
Phone: (202) 721-8200
Fax: (202) 721-8250

August 6, 2001

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of

Osamu OKUDA et al.

Serial No. NEW

Attn: Application Branch

Filed August 6, 2001

Attorney Docket No. 2001_0935

APPARATUS FOR HOLDING COMPONENT,
AND APPARATUS FOR MOUNTING COMPONENT
(Rule 1.53(b) Divisional
of Serial No. 09/158,536,
Filed September 22, 1998)

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

PATENT OFFICE FEE TRANSMITTAL FORM

Assistant Commissioner for Patents,
Washington, DC 20231

COPY

Sir:

Attached hereto is a check in the amount of \$710.00 to cover Patent Office fees relating to filing the following attached papers:

Rule 53(b) application \$710.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Osamu OKUDA et al.

By

Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

MSH/kjf
WENDEROTH, LIND & PONACK, L.L.P.
2033 K St., N.W., Suite 800
Washington, D.C. 20006-1021
Telephone (202) 721-8200
August 6, 2001

[Check No. _____]

2001_0935

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 9185

Osamu OKUDA et al. : Docket No.2001_0935

Serial No. 09/921,982 : Group Art Unit 3729

Filed August 6, 2001 :

APPARATUS FOR HOLDING COMPONENT,
AND APPARATUS FOR MOUNTING COMPONENT

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

NOTIFICATION RE SMALL ENTITY STATUS

COPY

Assistant Commissioner for Patents,
Washington, D.C.

Sir:

This is to notify the Patent Office that the box asserting small entity status was checked in error on the Utility Patent Application Transmittal. The fact that the small entity assertion was checked in error, is apparent since fees for a large entity were paid upon filing the present application. Since no fees were paid as a small entity, there is no deficiency payment required. Accordingly, there does not appear to be any necessity to file a submission under 37 C.F.R. 1.28.

In view of the above, the Office is requested to correct the Official Patent Office records in order to indicate that small entity status is not being claimed in this application.

BEST AVAILABLE COPY

Should any further information regarding the above be necessary, please do not hesitate to contact the undersigned in order to expeditiously resolve this matter.

Respectfully submitted,

Osamu OKUDA et al.

By: Michael S. Huppert

Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

MSH/kjf
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 14, 2002